

PUBLICATIONS

EXHIBIT E-6

**NOTICE OF INTENT FOR REQUEST FOR RELEASE OF FUNDS
(NOI-RROF)**

**INSTRUCTIONS FOR THE PUBLICATION OF
A NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS**

(NOI/RROF)

Those who must prepare this document are Grantees who:

- 1 -make a final **FINDING of CATEGORICALLY EXCLUDED** at the completion of Checklist E-4 (a). This means that during the preparation of the environmental review, one of the impact categories was triggered. (To "trigger" a category means that the proposed project will have an effect, beneficial or adverse, on the environment and mitigation or specific compliance measures are needed,
- OR
- 2 -are requesting a **CONDITIONAL RELEASE for a CATEGORICALLY EXCLUDED** project.

After submission of the Checklist and all supporting documentation has been submitted to the State the ECO should prepare a copy of Exhibit E-6 - Notice of Intent to Request Release of Funds (NOI/RROF). New regulations now allow grantees that have no newspaper of local circulation to prominently display the NOI-RROF in the effected community in the same manner that they would post a local public notice. However, this does not mean that posting may routinely take place. Posting will only be accepted in those communities where there is no availability to a locally published newspaper, whether or not it is published in the individual community.

TO PUBLISH A NOI-RROF

- 1.Prepare a draft version of the notice inserting all the appropriate information, i.e.:
 - grantee,
 - address,
 - project name,
 - amount of total funds (CDBG), etc.
- 2.**Before publishing**, ask the newspaper to provide you with the exact date on which the publication will appear. Insert that date as the date of publication. Add seven (7) days to that date. This is the date that you must insert in the "On or about ___" blank in the first paragraph of the publication. ***It is important that this date be exact. If it is incorrect, and the difference is more than a day or so, you may be required to republish.*** This is the period of time that must be allowed for the public to be made aware of the project and to peruse and comment on the environmental review if they so desire.
3. If no comments have been received by the jurisdiction on the date immediately following the "On or about..." date, the actual publication or a copy of, or the publisher's proof of publication or a copy of, must be sent to the State **accompanied by the REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION (RROF/CERT), Exhibit E-8.** See the instructions on Exhibit E-8 for the completion of that Exhibit.

TO POST A NOI-RROF

- 1.Prepare a copy of the notification to be posted by inserting all of the appropriate information, i.e. grantee, address, project name, cost (just CDBG), etc.
- 2.**Before posting** determine ten (10) days from the date on which the notice will be posted. Insert this date as the "On or about ___" blank in the first paragraph of the notice. ***It is important that this date be exact. If it is incorrect, and the difference is more than a day or so, you may be required to re-post.*** This is the period of time that must be allowed for the public to be made aware of the project and to peruse and comment on the environmental review if they so desire. Post the notice prominently in three public places within the project area or in accordance with the procedures established as part of the citizen participation process.
3. If no comments have been received by the jurisdiction by **10 days following the posting** the actual posting or a copy of, and a Certification of Posting signed by the Community's Clerk must be sent to the State **accompanied by the REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION (RROF/CERT), Exhibit E-8.** See the instructions on Exhibit E-8 for the completion of that Exhibit

EXHIBIT E-6

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS (NOI-RROF)

(Must be PUBLISHED/ POSTED for a minimum of one day in a paper of local circulation or within the project area)

Date of publication:
Name of Grant Recipient:
Address:

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

ON OR ABOUT _____ * (INSERT GRANTEE NAME) will request the Utah State Division of Community Development (DCD) (here also **ADD ANY OTHER FEDERAL FUNDING AGENCIES**) to **RELEASE (OR CONDITIONALLY RELEASE)** Federal funds under Title I of the Housing and Community Development Act of 1974 (PL93-383) (and **ANY OTHER FEDERAL FUNDING SOURCES, i.e. HOME**) for the following project:

PROJECT TITLE OR NAME:
PURPOSE OF THE PROJECT:
LOCATION OF PROJECT:
STREET ADDRESS:
CITY:
COUNTY:
STATE:
ESTIMATED COST OF PROJECT: (ALL FUNDS

An environmental review for the project has been made by (GRANTEE) and is available for public examination and copying at the offices noted below:

(INSERT GRANTEE NAME) will undertake the project described above with Block Grant funds from DCD under Title I of the Housing and Urban Development Act of 1974. (INSERT GRANTEE NAME) is certifying to DCD that _____ (certifying official) in his/her official capacity, consent to accept the jurisdiction of the Federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision-making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval, (INSERT GRANTEE NAME) may use the Block Grant funds, and the STATE will have satisfied its responsibilities under the National Environmental Policy Act of 1969 and other environmental responsibilities listed in 24 CFR Part 58. DCD will accept an objection to its approval of the release of funds and the acceptance of the certification only if it is on one of the following bases: (a) that the certification was not in fact executed by the certifying official, (b) that the environmental review record for the project indicated omission of a required decision finding, or step applicable to the project in the environmental review process, or (c) another Federal agency has submitted written comments pursuant to section 309 of the Clean Air Act of Section 102(c) of NEPA. Objections must be prepared and submitted in accordance with the required procedure (24 Part 58), and may be addressed to CDBG Program, Division of Community Development Services, 324 South State Street, Salt Lake City, UT 84111. Objections to the release of funds on bases other than these stated above will not be considered by the State. No objection received after 15 days from the date of request for funds listed above will be considered by the STATE.

*This date must be at least 7 days following the date of publication or 10 days following a posting of this notice.

(Signature, Title and Address of Certifying Official)